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GAY 2874

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Gerald T. Mearini and Laszlo Takacs
FOR : ATOMIC LAYER CONTROLLED OPTICAL
FILTER DESIGN FOR NEXT GENERATION
DENSE WAVELENGTH DIVISION
MULTIPLEXER

SERIAL NO. : 09/865,153

FILED : May 24, 2001

LAST OFFICE ACTION : Unknown

EXAMINER : Unknown

GROUP ART UNIT : 2874

ATTORNEY DOCKET NO. : 0937.0014
Akron, OH 44308-1136
October 21, 2001

10/17/2001 SHINANSI 00000077 050075 03363432
01 FC:125 100.00 CH

Adjustment date: 10/23/2001 SHINANSI
10/17/2001 SHINANSI 00000077 050075 03363432
01 FC:125 100.00 CH

CERTIFICATE OF MAILING

I hereby certify that this **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on this 12 day of October, 2001.

By: Janet E. Sigler
Janet E. Sigler

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97

Dear Sir:

In accordance with 37 C.F.R. § 1.56 the applicant files this Information Disclosure Statement (IDS) under at least one of the following five circumstances:

1. **No Information to disclose:** applicant has no information to disclose at this time.

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2. **Under § 1.97(i):** this IDS is filed with the knowledge that it will NOT be considered.
- this IDS is filed BEFORE the grant of a patent; AND
 - this IDS does NOT comply with the requirements noted below
 - applicant notes that the information disclosed herein WILL be placed in the file
3. X **Under § 1.97(b):** this IDS should be considered because it is being filed
- within 3 months of the filing date of a national application OR
 - within 3 months of the date of entry of the national stage of an international appl. OR
 - before the mailing date of a first Office Action on the merits, whichever occurs last.
4. **Under § 1.97(c):** this IDS should be considered because it is being filed
- after the period specified Under § 1.97(b) above but BEFORE either
 - the mailing date of a final action under § 1.113 OR
 - the mailing date of a notice of allowance under § 1.311, whichever occurs last,
 - AND is accompanied by either:

A) one of the following statements under § 1.97(e):

I, Daniel A. Thomson, the undersigned hereby state:

(1) Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

(2) To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; OR

B) A check in the amount of \$ 240.00 is enclosed to cover the Information Disclosure Statement (IDS) Fee under 37 C.F.R. § 1.17(p) as required when neither item (1) nor (2) above are selected.

5. **Under § 1.97(d):** this IDS should be considered because it is being filed
- after the period specified Under § 1.97(c) above but
 - ON OR BEFORE payment of the issue fee,
 - and is accompanied by:

A) one of the following statements under § 1.97(e):

I, Daniel A. Thomson, the undersigned hereby state:

(1) Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

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(2) _____ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; AND

B) _____ a petition requesting consideration of the IDS; AND

C) _____ A check in the amount of \$ 130.00 is enclosed for the petition fee as set forth under 37 C.F.R. § 1.17(i).

In accordance with § 1.56 and § 1.97 the references listed below and on the attached form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of these cited documents are enclosed.

English-Language Documents

Patentee	Patent No.	Issue Date
Pan, et al	5,748,350	May 5, 1998
Cao	6,205,270	Mar. 20, 2001
Debley et al.	5,529,671	Jun. 25, 1996
Malshe, et al.	5,725,413	Mar. 10, 1998
Sharp	4,747,922	May 31, 1988
Mesh, et al.	6,233,261	May 15, 2001

Foreign Patent Documents in English

Country	Patent No.	Issue Date
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Foreign-Language Documents

Country	Patent No.	Issue Date
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Other Documents

Kumar, et al.; *Near-Infrared Bandpass Filter from Si/SiO₂*; Multilayer Coatings; February 1999

Suntola, T.; *Cost-Effective Processing by Atomic Layer Epitaxy*; 1993.

Bachman, et al.; *Molecular Layer Epitaxy by Real-Time Optical Process Monitoring*; 1997.

H., Kawai, T. Tabata; *Atomic Layer Control of the Growth of Oxide Superconductors Using Laser Molecular Beam Epitaxy*; 1993

Imai, F., Kunimori, K., and Nozoye, H; *Novel Epitaxial Growth Mechanism of Magnesium Oxide/Titanium Oxide Ceramics Superlattice Thin Films Observed by Reflection High-Energy Electron Diffraction*; November 8, 1993.

Kildemo, et al.; *Real Time Control of the Growth of Silicon Alloy Multilayers by Multiwavelength Ellipsometry*; 1996.

Spiller, E; *Smoothing of Multilayer X-Ray Mirrors by Ion Polishing*; March 30, 1989.

Puik, E.J, van der Wiel and Zeijlemaker, H, and Verhoeven, J.; *Ion Etching of Thin W Layers: Enhancing Reflectivity of W-C Multilayer Coatings*; 1991.

Nishizawa, J., Abe, H., and Kurabayshi, T.J. *Electrochem.Soc.* 132(5) (1985).

Puik, E.J., et al.; *Appln. Surf. Sci.* 47 (1991) 251.

Kloidt, A, et al.; *Thin Sol Films*, 228 (1993) 154.


☒ Please charge deposit account No. 05-0875 if any additional fees are required.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO-1449 with initials or other appropriate marks.

Respectfully submitted,

EMERSON & SKERIOTIS

October 12, 2001
Date


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